

Dewdney, et al.
R0164B-REG

PATENT

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REMARKS

Amendments

The above amendments of claims 1-16 merely remove references to "isomers and prodrugs", and thus do not add new matter. The additional amendment of claim 14 only supplies a missing period. The amendment of claim 17 only inserts a reference to pharmaceutically acceptable salts, which was overlooked in the original claims. No new matter is added thereby.

Rejection under §112, First Paragraph

A. Claims 1-22 were rejected under §112, first paragraph, as lacking enablement for isomers and prodrugs.

Applicants respectfully point out that claims 21-22 do not recite isomers or prodrugs, submit that the rejection is misapplied with respect to those claims. Applicants have amended claims 1-16 to delete the references to isomers and prodrugs, and assert that the rejection is thus overcome.

B. Claims 18-20 were rejected under §112, first paragraph, as lacking enablement for treating disorders other than arthritis. Applicants respectfully traverse.

J.C. Lee et al., *Pharmacol Ther* (1999) 82(2-3):389-97 (Abstract only provided) was cited as teaching that p38 inhibitors are efficacious in the treatment of arthritis. Applicants point out that Lee further states that "The p38 MAPK inhibitors are efficacious in several disease models, including inflammation, arthritis and other joint diseases, septic shock, and myocardial injury." Thus, Applicants submit that the claims are broadly enabled. However, in the interest of obtaining an earlier issue date for claims covering the compounds per se, Applicants have canceled claims 18-20, and reserve the right to pursue that subject matter in a copending continuation application.

Rejection under §112, Second Paragraph

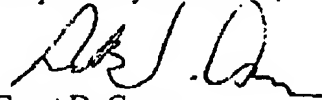
Claims 1-22 were rejected as indefinite under §112, second paragraph, for inclusion of the term "isomers." Applicants submit that this rejection is overcome by the amendment above, deleting the term from the claims.

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Applicants respectfully submit that the application is now in condition for allowance. Any questions regarding the application may be directed to the undersigned at the telephone or email addresses given below.

Respectfully submitted,



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Date: September 28, 2006

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